

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

STUDENTS FOR FAIR ADMISSIONS, \*  
INC., \*

Plaintiff, \*

vs. \*

UNIVERSITY OF NORTH CAROLINA, \*  
et al., \*

Defendants. \*

\*\*\*\*\*

Case No. 1:14CV954

November 19, 2020

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**EXPEDITED TRANSCRIPT OF TRIAL (EXCLUDES CLOSING ARGUMENTS)**

BEFORE THE HONORABLE LORETTA C. BIGGS  
UNITED STATES DISTRICT JUDGE

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**P R O C E E D I N G S**

**THE COURT:** Good morning.

**MR. HASSAN:** Good morning.

**MR. HOLTZMAN:** Good morning.

**THE COURT:** Are there any matters that we need to address before we begin with witness testimony this morning?

**MR. HASSAN:** Not for the Plaintiff.

**MR. HOLTZMAN:** No, Your Honor.

**THE COURT:** No matters. All right. Let's call the next witness, please.

**MR. HOLTZMAN:** Thank you, Your Honor. Jack Holtzman with the North Carolina Justice Center. Our next witness is Hanna Watson.

**THE COURT:** If we could have her sworn, please.

**HANNA WATSON, INTERVENORS' WITNESS VIA VIDEO, SWORN**

**DIRECT EXAMINATION**

**BY MR. HOLTZMAN:**

**THE COURT:** You can put your hand down. Thank you.

Q. Good morning, Ms. Watson.

A. Good morning.

Q. Can you hear me? Okay. Ms. Watson, can you state your full name for the record?

A. Hanna Elizabeth Watson.

Q. And, Ms. Watson, please describe your educational background for the Court.

1 A. Yes. I am a recent graduate of the University of North  
2 Carolina at Chapel Hill. I was there from August of 2016 until  
3 May of 2020, and I am currently a grad student at Princeton  
4 Theological Seminary.

5 Q. Can you tell us what your GPA was when you graduated from  
6 UNC?

7 A. Yes. My GPA was a 3.9.

8 Q. And in what -- what did you major and minor in?

9 A. I majored in African, African American, and diaspora  
10 studies and minored in creative writing.

11 Q. And did you receive any school recognition or honors while  
12 you were at UNC?

13 A. Yes. I was a recipient of the Robert B. House Memorial  
14 Prize in poetry, and I was also a member of the Phi Beta Kappa  
15 Honors Society.

16 Q. Now, this case involves UNC's ability to consider race in  
17 admissions.

18 Do you identify with a particular race or ethnicity?

19 A. Yes. I identify as black/African American depending on if  
20 you're talking about race or ethnicity.

21 Q. Did you have any specific experiences growing up that you  
22 attribute to being African American?

23 A. Yes, quite a few. My entire upbringing was very much  
24 shaped by being African American: the foods that my family  
25 ate, the music we listened to, the types of churches that we

1 attended, the conversations that my parents had to have with me  
2 when -- around the mid-2010s when the filming of, like,  
3 incidents of police brutality became very prevalent in media,  
4 talking -- conversations about my safety. There were also  
5 several -- more than several, just constant personal incidents  
6 in our family that were very much shaped by race.

7 Q. And what neighborhood did you grow up in?

8 A. For most of my upbringing, I lived in Wichita, Kansas, in a  
9 neighborhood that was very close to Andover, which is a suburb.  
10 So it was a predominantly white neighborhood. We were one of  
11 very few black families or families of color at all in that  
12 neighborhood.

13 Q. And can you describe the interactions that your family had  
14 with their white neighbors?

15 A. Over the course of the years, we had several negative  
16 interactions with our neighbors. For the most part, it was  
17 that we didn't interact in the same ways that other neighbors  
18 were able to interact. The parties that people were invited  
19 to, the backyard barbecues that everybody shared, they weren't  
20 things that we were a part of.

21 There were also several incidents of just what seemed just  
22 like blatant racism. People in our neighborhood broke  
23 flowerpots on our front yard. They threw eggs at our house,  
24 things that would happen to us but wouldn't happen to other  
25 neighbors around us.

1 Q. And how did those experiences tie to your racial identity?  
2 How did they impact your world view prior to college?

3 A. They had a massive impact on my world view prior to  
4 college. I think that as I was preparing to go to school, I  
5 very much had a -- a defensive mind-set. Like, these really  
6 awful acts of racism were happening in not necessarily lethal  
7 ways toward my family but in lethal ways around the world; and  
8 I felt like I had an obligation to defend myself, to use  
9 whatever gifts I had to defend or to uplift the rest of African  
10 America, so to speak. I was afraid when I was preparing to go  
11 to college.

12 Q. So you applied to UNC; is that correct?

13 A. That is correct.

14 Q. And what -- what aspects of UNC appealed to you when  
15 deciding where to apply?

16 A. So at that time, I was really, really interested in  
17 political science. So my first step was getting further east  
18 than Kansas, getting closer to DC where I thought the political  
19 action would be throughout my college career. But I was also  
20 really interested in UNC's political science department. I  
21 thought that it was pretty good, especially for a state school.  
22 I also wanted to go to a school where it seemed like the  
23 demographics would be a little bit more diverse than the high  
24 school that I went to, which was not very diverse at all. So,  
25 yeah, all those things were very important to me.

1 Q. So what -- can you expand a little bit about why being at a  
2 college with other African Americans was of interest to you?

3 A. Sure. So, like I said, in high school, I didn't have very  
4 many African American peers, and I just really thought that my  
5 learning experience and really my sense of self would be  
6 enriched by being around more people who had perhaps  
7 experienced some of the joys and struggles of blackness that I  
8 had experienced.

9 Q. And when you applied, what was your understanding of  
10 whether UNC considered race in its admissions policy?

11 A. When I applied, I -- yeah, as far as I knew, UNC did  
12 consider race in its admissions policy. That was what I saw  
13 when I looked through the application, so yeah.

14 Q. And did that matter to you at all, that UNC considered race  
15 in its admissions?

16 A. I think that more than that mattering to me that they did,  
17 it would have mattered to me that they didn't. In my view from  
18 all of -- I applied to quite a few schools, and in my view, it  
19 seemed like that was the norm. That's what every college did,  
20 and that's what it meant to care about the race and ethnicity  
21 of the students coming in, to care about them as whole people.  
22 So it would have seemed really strange to me if UNC did not  
23 consider race or ethnicity.

24 Q. Okay. So "strange to you," what does that mean?

25 A. It would have been off-putting in that I think I would have

1 felt like they didn't care, and I would have assumed that there  
2 was some sort of -- honestly, some sort of racist agenda behind  
3 it that would have made me unwelcome at the university.

4 Q. Now, can you tell us a little bit about the high school you  
5 were in? How did you perform academically in your high school?

6 A. I performed well academically at my high school. I  
7 graduated with a 3.93 GPA, and I was 13th out of 184 in my  
8 class. I took a few AP classes, as many as felt appropriate.  
9 I avoided the sciences as much as I could. That was not my  
10 thing. But generally I performed well.

11 Q. And did you take the SAT?

12 A. Yes.

13 Q. How did you score on that?

14 A. I believe on the writing and reading sections, my scores  
15 were over 700. My math section was around 660. I don't have  
16 the exact numbers for that, but -- yeah.

17 Q. Okay. And were you involved in extracurricular activities  
18 in high school?

19 A. Quite a few. Would you like me to name them?

20 Q. Name those where you took a leadership role.

21 A. Sure. So I was the vice-captain of my cross-country team.  
22 I was the president of my thespian troupe in high school. I  
23 was on the liaison board between the school district and the  
24 high school students. I was a part of the -- president of the  
25 Bishop's youth council at -- in the jurisdiction for the



1 churches that I'm a part of. I was the president of the  
2 National Honors Society chapter at my school. I think those  
3 are all the most relevant ones.

4 Q. And when you filled out your Common Application to UNC, did  
5 you list all of those academic -- I don't know -- academic  
6 credentials in your application?

7 A. Yes, that was a part of it.

8 Q. So also in the Common App that you filled out, the Common  
9 Application, did you decide to state your racial identity?

10 A. I did. I said that I was black.

11 Q. There was a box in The Common Application that you were  
12 able to check off?

13 A. Yes.

14 Q. And was there any other -- any other way that you referred  
15 to your race in the Common Application?

16 A. Yes. In my Common Application essay, the main essay that I  
17 sent off to all schools, my -- the main subject matter of that  
18 essay was my race.

19 Q. Okay. Can you describe for us a little bit more about that  
20 essay?

21 A. Sure. So that essay was about a decision that I made to  
22 move high schools from a private school to a public school in  
23 order to -- to stand in solidarity with my brother, who had  
24 experienced a whole lot of racism in some really detrimental  
25 ways at the private school that we were at.

1        So I talked a lot about feeling like I was trying to fit  
2 into this Eurocentric world at this private school and going  
3 through this process of discovering my blackness as a high  
4 schooler, which very much continued to be a process when I was  
5 in college. But for me I think that essay spoke to how my  
6 world view had been shaped and the circumstances of my life had  
7 been shaped by my racial identity.

8 Q. And why did you choose to discuss your African American  
9 identity in that Common Application essay?

10 A. Well, most of the schools that I applied to -- probably all  
11 the schools I applied to I talked about my goals of going into  
12 public policy, going into politics, and doing something to  
13 bring more racial justice to the United States. And the reason  
14 that I was passionate about that, the reason that I cared about  
15 it was because of my own racial experience, which gave me the  
16 empathy to care about the experiences of other minoritized  
17 races; but in my own experience, my passions were shaped by  
18 that identity; and it really would have made -- my story and my  
19 goals wouldn't have made a lot of sense without that  
20 information.

21 Q. Why not?

22 A. I think it gives -- it gives reason to why I care so much.  
23 I had -- because of the racism that I've experienced, because  
24 of the wonderful, like, racial experiences that I've had, I  
25 have a -- I'm deeply invested. I have quite a stake in -- in

1 the betterment of the lives of black people in America, and so  
2 the reason that I cared so much -- and in order to express,  
3 like, the passion that every college wants to hear about, they  
4 needed to know where this was coming from.

5 Q. I'd like to ask you about racial diversity at UNC itself.

6 What -- when you -- when you enrolled at UNC and in your  
7 first year and throughout the time that you were there, what  
8 interactions did you have with other students on UNC's campus  
9 who were different from you by race, by class, by other --  
10 other backgrounds?

11 A. I can think of several groups that I was a part of that  
12 were really, really diverse in a lot of ways. My first year I  
13 was in one of the more diverse a cappella groups. Many of them  
14 are not. I was also a part of a student body president  
15 campaign that brought together a lot of different people from a  
16 lot of different backgrounds, but most poignantly, my undergrad  
17 experience was marked by my time in my campus ministry, aptly  
18 named Every Nation Campus. We had a lot of people of a lot of  
19 nationalities and a lot of different races, socioeconomic  
20 statuses coming together for the purpose of worship; and that  
21 very much -- that was probably one of the most formative and  
22 important groups that I was a part of at UNC.

23 Q. And on a personal level, did you have any positive  
24 formative relationships that were created while you were there  
25 at UNC?

1 A. Certainly. My -- I'm smiling because my best friend is --  
2 I met her when I was in a class called Ethics and Business in  
3 Africa my first year, and we came to get close when we both  
4 joined the same campus ministry on my -- in the middle of my  
5 second year.

6 She is a white South African student, and being in a  
7 relationship with her over the years has healed a lot of wounds  
8 that I think -- that I know that I've had because of the racism  
9 that I've experienced. I mean, we got to have some incredible  
10 conversations about -- about race and justice, especially  
11 because of her family's involvement in apartheid in  
12 South Africa. That definitely complicated and enriched our  
13 discussion, and I don't think had her -- had her ethnic and  
14 national and racial identity been different, and, likewise,  
15 mine, for those things, I don't think we would have been able  
16 to have those same enriching conversations and experiences that  
17 we've had over the years.

18 Q. Now, while you were at UNC, were there other situations  
19 where you were with students of diverse backgrounds based upon  
20 events that happened off campus?

21 A. Yes. Most -- what comes to mind is the police shooting of  
22 Keith Lamont Scott in Charlotte in 2016. That was the fall of  
23 my first year. As you all may know, a big percentage -- I  
24 couldn't give a number or anything, but a large amount of UNC  
25 student population is from Charlotte, so that shooting really

1 hit home. And protests that popped off at UNC's campus, there  
2 were students of -- really of many different backgrounds coming  
3 together to march and to do sit-ins and die-ins all over the  
4 campus. There were speeches being made. There was poetry  
5 being shared in The Pit and at the Quad and all these different  
6 important spaces. But, yeah, the outside racial events in the  
7 United States very much impacted my experience and the  
8 experiences of many black people at UNC.

9 Q. Now, while you were at UNC, how did that exposure to a  
10 diverse student body impact your education?

11 A. So as I mentioned before, I minored in creative writing,  
12 but that really took up a lot of -- most of my -- a lot of my  
13 academic time in my latter two years. So I was a -- I was -- I  
14 focused in poetry composition, and those classes are typically  
15 very small, 10 to 12 students. You write a lot of poems every  
16 week, and you critique them; you workshop them with each other.

17 Now, when I was in classes -- in poetry classes that had a  
18 lot of diversity in different ways -- I remember some classes  
19 where we were diverse even in age, in race, in gender, and  
20 sexuality. When I was in those classes with those different  
21 makeups, I was able -- we were all able to get a lot better  
22 feedback on our poems because we could hear how the art that we  
23 were creating impacted different people with different life  
24 experiences and different backgrounds. It was more likely that  
25 someone would be able to identify with the things that you were

1 talking about.

2 On the other hand, I had a few classes where I was the only  
3 black student, and there was a white professor and mostly white  
4 students. A lot of my poetry talks about my black experience,  
5 and in those classes, I was unable to get the feedback that I  
6 needed to become better at my craft because people -- like, on  
7 a very basic level, people didn't understand the things that I  
8 was talking about. So I wasn't able to get past the surface to  
9 become a better poet, and those were always really frustrating  
10 moments for me when nobody under -- it seemed like nobody  
11 understood me in those classes.

12 Q. Now, did exposure to diversity on UNC's campus affect your  
13 leadership skills?

14 A. Yes. I was in a program called the Robertson Scholars  
15 Leadership Program. So we did a lot of -- it was a selective  
16 group, and we did a lot of training on leadership. So in some  
17 of those trainings and dinners and workshops that we would  
18 have, we would sometimes have discussions that went awry.  
19 Somebody would say something racially insensitive or  
20 insensitive to -- something like that, and there would always  
21 be a discussion that was sparked about how we should address  
22 those types of issues.

23 In those moments, I had to learn how to work with people  
24 who -- who might really not be for me or for my well-being and  
25 continue to be in a relationship with them and continue to work

1 toward goals with them.

2 But also, outside of that, I was able to have conversations  
3 with the other black students and my cohorts about the things  
4 we could do to push the program to be more sensitive to  
5 minoritized groups; and I think that doing that background  
6 work, as well as listening to what people were saying in the  
7 room, really impacted my ability to lead diverse groups of  
8 people.

9 Q. Based upon your experience at UNC, did ethnic and racial  
10 diversity benefit other students besides yourself?

11 A. I think so. I had a good friend who identified as Asian  
12 American/Indonesian American, and during my final few months at  
13 UNC, we had a lot of conversations about what it -- how the  
14 black experience and the Asian experience interacted. And she  
15 told me about how just knowing me and having other black  
16 friends helped open her eyes to experiences that she hadn't  
17 considered before growing up in a predominantly white and Asian  
18 environment. She talked a lot about how she grew in compassion  
19 and in the ability to interact -- interact well with people who  
20 were very different from her.

21 Q. And what about other students' leadership skills? Were you  
22 ever in any situations while you were on campus where you got  
23 to see how ethnic and racial diversity helped other students'  
24 leadership skills grow?

25 A. Yes. Like I mentioned before, my first year I was a part

1 of a student body president campaign with one student who --  
2 the candidate was a white male, and he pulled together students  
3 from a lot of different backgrounds for his campaign,  
4 especially first-years. He did a really good job of pulling  
5 together first-years.

6 When I think about the rooms where we had discussions about  
7 campaign issues and about strategy and promotion videos and  
8 things like that, they were always very, very diverse; and I  
9 think that being able to have those different opinions in the  
10 room helped this candidate to be able to reach out to students  
11 of many different racial backgrounds, socioeconomic  
12 backgrounds, nationalities who were coming together to be a  
13 part of his campaign and eventually to vote for him.

14 Q. Ms. Watson, to what degree did you encounter diversity with  
15 any specific racial groups?

16 A. I'm sorry. Could you repeat that question?

17 Q. Sure. So while you were at UNC, did you experience any  
18 situations where you encountered diversity within a given  
19 racial group?

20 A. Yes. I understand. I did. I -- one of the most beautiful  
21 things about coming to college was that I got to be around more  
22 black people than I had ever been around before, which isn't  
23 saying much considering my upbringing, but it was significant  
24 for me. And in that, I was able to diversify my understanding  
25 of what it meant to be black. Growing up in a neighborhood and



1 in a school where I was always one of very few black people, I  
2 had created this monolith of blackness that said that to be  
3 black was to be like Hanna. It was to be like a Watson, which  
4 was not true.

5 When I was at UNC, I interacted with black folks from  
6 Sierra Leone, many Nigerian American friends, folks from  
7 Australia, from Ghana, folks who grew up in North Carolina,  
8 black folks who grew up in Colorado, people of different  
9 socioeconomic statuses, of different sexualities, different  
10 religious backgrounds. I had so many different experiences  
11 interacting with black people and all of their diversity. I  
12 was able to get a clearer view of -- I guess the idea that  
13 blackness is not a monolith, that there are a lot of important  
14 differences between black individuals.

15 Q. Did that affect any stereotypes that you may have had?

16 A. I think so. If nothing else, it helped to break down  
17 stereotypes I had harbored about people more recently connected  
18 to their African heritage, meaning those who aren't the  
19 descendants of slaves, yeah, and also just generally  
20 stereotypes about what it means to be black; that it was not --  
21 it is not -- I could not equate that to what it meant to be  
22 myself, what it meant to be a Watson in Kansas.

23 Q. So you said that you interacted with black people from  
24 different socioeconomic backgrounds; is that correct?

25 A. Correct.

1 Q. So can you describe a little bit more about your  
2 interactions with African American students from other  
3 socioeconomic backgrounds than yourself?

4 A. Sure. When -- I think that interacting with black students  
5 of other socioeconomic backgrounds made me aware of the  
6 intersections of -- or the ways in which my own privilege  
7 interacts with my own minoritization. Having come from a  
8 fairly affluent school and a fairly affluent family, I think  
9 that it was helpful for me to be in classes, particularly my  
10 African American studies classes, where we would discuss  
11 experiences that people had that were very different from my  
12 own. I think it made me compassionate in a new way, helped me  
13 to understand that -- that the struggles that I've experienced  
14 through racism are not the only struggles that there are in the  
15 world, but still that race and socioeconomic status interact in  
16 very important ways for people.

17 Q. Now, while you were attending UNC, what was your view  
18 regarding whether there was adequate representation of students  
19 of color on campus?

20 A. For the most part, actually completely, I never thought  
21 that there was adequate representation. Even when choosing to  
22 come to UNC, I was aware that UNC's black population was not  
23 reflective of North Carolina's black population, and I studied  
24 that a little bit in a class my first year -- a service  
25 learning course my first year.

1 But I just -- I remember feeling very much like if there  
2 were more black people at UNC, then there might be an even  
3 greater -- there might be an even greater view of the diversity  
4 of blackness that would make more room for me. There were many  
5 moments that I felt like I was not black enough because I  
6 didn't fit this monolith that many white students and just  
7 other students were telling me about what it meant to be black.

8 I think that -- excuse me. I was -- throughout my  
9 education, I was dissatisfied with the number of black people,  
10 people of color at UNC.

11 Q. Did that play out in any of the extracurricular activities  
12 that you participated in on campus, that lack of  
13 representation?

14 A. I remember having strange or uncomfortable social  
15 interactions related to my a cappella group when I was at UNC.  
16 A cappella is a whole wild world at UNC that is full of racism  
17 and division, and I just remember being seen as kind of the  
18 token black girl who was the one black person who wasn't in the  
19 black a cappella group, and there just wasn't -- it didn't seem  
20 like there was space for -- because of the inadequate number of  
21 people of color in that sect of -- in that sect of UNC, there  
22 wasn't space for any difference. People didn't accept that,  
23 and they got very uncomfortable with it.

24 Q. Now, how did the lack of representation make you feel in  
25 the classroom?

1 A. In the classroom the lack of representation was burdensome.  
2 I remember specifically my POLI 101 class or POLI 100 class at  
3 UNC. There were maybe 2- or 300 people in the lecture hall,  
4 and definitely fewer than 15 black people in the room.

5 When we would have discussions about America's racial and  
6 political history, just stereotypically all heads would turn  
7 toward the black people in the room; and in that I felt so much  
8 pressure to say the right thing because it seemed there was an  
9 expectation that I would be the representative for the race,  
10 that I would -- that I would be able to speak for every single  
11 black person in America, and that -- I think that pressure was  
12 undue and probably would have been relieved had there been a  
13 greater number of black people in the room.

14 Q. How did that experience, being in a majority white  
15 classroom, affect your participation in the class?

16 A. It depended on the day, but often my participation was  
17 marked more by my -- by my knowledge of being a minority in the  
18 room than it was by whether or not I actually had something to  
19 say. There were moments when I felt like I had to speak up  
20 because nobody else was speaking up for black people, even  
21 though I didn't know what to say. There were moments when I  
22 felt uncomfortable speaking about my own experience because of  
23 something else that a white student had said in the classroom.

24 Q. Were there times when some students -- or when you heard  
25 any sort of racially offensive statements while you were in

1 class?

2 A. I don't remember any specific incidents, but I -- I don't  
3 remember any specific words, but I do remember one particular  
4 student in that POLI 100 class who would often say things that  
5 made several black students uncomfortable, and that was over  
6 the course of the entire semester.

7 Q. So how did you react to that, or did you?

8 A. In that early semester -- that was my first year -- I  
9 didn't really have much of an outlet to be able to share the  
10 difficulty of those experiences. I didn't yet have a super  
11 diverse friend group, so I didn't -- I internalized it a lot,  
12 and that was, of course, a very difficult time to do that. As  
13 I spoke earlier about the Keith Lamont Scott shooting and all  
14 the protests going on, it was a very tumultuous time to be  
15 black at UNC from the classroom to the -- to the police  
16 brutality that was going on across the country.

17 Q. Well, what at UNC helped ease your sense of isolation?

18 A. I think when I finally found my fit in this super diverse  
19 campus ministry, when I was able to make friends from many  
20 different backgrounds, and especially to make friends who were  
21 black and different than me and also similar to me in some  
22 ways, I felt like I had a place, a people that I could share my  
23 experiences with. And before I had that, it was -- life was a  
24 lot more difficult. It was a lot more difficult to be a  
25 student at UNC.

1 Q. Did -- your finding those safe spaces, did that impact in  
2 any way your participation in the majority white classes?

3 A. I think so. I think that having those safe spaces, being  
4 able to have conversations about what I was experiencing in  
5 class just made me more confident as a person. I became more  
6 settled in being able to say what was on my mind, to be able to  
7 share what I thought was important to the course discussion  
8 regardless of who else was in the room. So my academic  
9 experience was very much shaped by my social experience at UNC.

10 Q. Now, are you aware of UNC's history of racism and  
11 exclusion?

12 A. Yes.

13 Q. While you were at UNC, did you come into contact with any  
14 monuments or symbols of that racist legacy?

15 A. Yes. The Silent Sam statue, I don't know how familiar you  
16 all are with that. That -- the Silent Sam statue, this  
17 Confederate monument of an unknown Confederate soldier, marked  
18 my UNC experience. I mean, from the time that I got there --  
19 it was like as soon as I arrived, there were protests around  
20 the statue trying to get it to be torn down. While I was  
21 there, there were moments when white supremacists came to the  
22 campus wielding guns to defend the statue. When I was an  
23 upperclassman, somebody -- a student pulled down the statue,  
24 and then there was a whole debacle about where the statue was  
25 going to go and all the anger in the student body about

1 millions of dollars being given to continue to preserve it in a  
2 museum. So, yeah, this racist legacy is -- it pervaded my UNC  
3 experience.

4 Q. Were you aware of the controversy over the building names  
5 themselves?

6 A. To some extent. I wasn't deeply involved in them, but I  
7 was aware.

8 Q. And so what was your understanding about the names on some  
9 of the buildings on UNC's campus?

10 A. Well, I knew that some of the names were -- some of the  
11 buildings were named after figures who had intentionally  
12 perpetuated racism at UNC enough so that students felt very  
13 uncomfortable with learning in classrooms that were named after  
14 them. So I knew that there were efforts to get some of them  
15 changed. Like, what is currently Carolina Hall I believe used  
16 to be Saunders Hall, and that was a big issue while I was at  
17 UNC. They tried to get it renamed to Hurston Hall after Zora  
18 Neale Hurston. Yeah, that's kind of the extent of my knowledge  
19 of that.

20 Q. All right. And, Ms. Watson, so have you seen any progress  
21 by UNC from its history of racism to now with its official  
22 policy of inclusion and diversity?

23 A. I have seen progress, and I do have a lot of hope for UNC.  
24 I think that -- when I think about my own personal experience,  
25 I think that the honors college that I was a part of did a

1 pretty good job of trying to listen to the experiences of black  
2 students and ask specific questions about how they could serve  
3 and help students to flourish at the university during times of  
4 really acute racial unrest, and I compare that experience to  
5 the histories that I had studied in several classes, going to  
6 archives at UNC and at Duke to study the different -- the  
7 different incidents of racism at UNC and how students had  
8 responded to them in the past. Comparing that to what was  
9 happening in my own life, it showed that UNC was not perfect,  
10 but there had been efforts to progress forward, and I  
11 appreciated that.

12 Q. Based upon your personal experience, how would a reduction  
13 in the number of students of color on UNC's campus affect its  
14 racial climate?

15 A. I think that that would -- I think it would be devastating.  
16 When I think about the -- the moments when there were white  
17 supremacists wielding guns around my campus and I was being  
18 told by my loved ones, like, "Stay in your dorm no matter what.  
19 Do not leave. This is not the time to fight this or to  
20 protest," I thought about why in the world they even felt  
21 comfortable coming to this space.

22 And, you know, in order for somebody to feel comfortable  
23 with those views, openly showing them in that way, in a violent  
24 way, I think it says something about the environment of UNC.  
25 What I mean to say is that if there were fewer black people, I



1 would expect that even more incidents like that would happen  
2 because people who were not for black people, people who  
3 believed in white supremacy, people who were racist would feel  
4 even more comfortable, would feel like they have even more of a  
5 foothold on UNC's campus and continue to terrorize the students  
6 there.

7 Q. What message to students of color might it send if UNC  
8 ended its use of race in its admissions practice?

9 A. I think it would show that UNC didn't care about the racial  
10 experiences that students had and have and that, like me, have  
11 shaped many, many students. It -- yeah, it would show a lack  
12 of care. It would show a lack of awareness of the very real  
13 impacts of race in America and globally if they didn't ask  
14 those sorts of questions.

15 Q. Now, since you've graduated from UNC, what further academic  
16 studies have you started?

17 A. Yes. I am in my first semester at Princeton Theological  
18 Seminary, and I'm pursuing a master's in divinity.

19 Q. And how -- if at all, how has UNC's experience -- the  
20 experience that you had while you were a student at UNC  
21 interacting with diverse groups of students, how has that  
22 affected your postcollege work and life?

23 A. So Princeton is very intentional about -- about doing  
24 antiracism work. They've recently done an historical audit on  
25 their slavery -- on their hand in slavery, so we've had a lot

1 of discussions about racism and how to be agents of antiracism  
2 at the seminary. And I think my experiences at UNC have  
3 enriched that discussion, to be able to share with people what  
4 it looks like to be at a university or at an institution where  
5 there isn't this sort of intentional antiracism work going on  
6 in the same way.

7 I also think that the relationships that I formed and the  
8 friendships that I made at UNC have helped me socially at  
9 Princeton to interact with a number of different people. I  
10 don't think that I would have -- be able to have a healthy  
11 relationship with my current roommate, who is white, if I  
12 hadn't had those interactions with my best friend who was white  
13 that broke down a lot of the stereotypes and the -- and the  
14 trauma that I had from other interactions with white people as  
15 a high schooler and before that.

16 Q. Just one last question, Ms. Watson. Why did you choose to  
17 participate in this case?

18 A. So I was asked by one of my -- somebody who was in -- my  
19 scholarship cohort to consider participating, and I wanted  
20 to -- I thought that my experience would be a way to give a  
21 face to some of the numbers that people are talking about.  
22 This -- whether or not -- like, using race in admissions is --  
23 it's not just about numbers. It's about real people with real  
24 experiences, and I thought that this would be an opportunity to  
25 do justice just by telling my story, just a small way that I

1 could be a part of antiracism efforts.

2 Q. Okay. Thank you.

3 **MR. HOLTZMAN:** We have no further questions.

4 **THE COURT:** All right. Questions?

5 **MR. HASSAN:** No further questions, Your Honor.

6 **MS. HENDERSON:** No questions.

7 **THE COURT:** All right. Thank you.

8 Thank you so very much. You are released at this time.

9 **THE WITNESS:** Thank you.

10 **THE COURT:** Uh-huh.

11 All right. Let's call your next witness.

12 **MS. TORRES:** Your Honor, our next should be on the  
13 video as well, and then we do have a live witness as well. So  
14 I'm guessing that he's logged on, Luis Acosta, and David  
15 Hinojosa will be directing him.

16 (The witness appeared on the video screen.)

17 **THE COURT:** If we could have the witness sworn,  
18 please.

19 **LUIS ACOSTA, INTERVENORS' WITNESS VIA VIDEO, SWORN**

20 **DIRECT EXAMINATION**

21 **BY MR. HINOJOSA:**

22 **THE COURT:** You may put your hand down, sir. Thank  
23 you.

24 Yes, sir.

25 **MR. HINOJOSA:** All right. Thank you. Dave Hinojosa

1 for Student-Intervenors, Your Honor.

2 **THE COURT:** Yes. You may proceed.

3 **MR HINOJOSA:** Sorry. I was having technical  
4 difficulties in shutting off my own phone there.

5 Q. (By Mr. Hinojosa) Can you please state and spell your  
6 name?

7 A. Luis Acosta. L-u-i-s is the first name. Acosta is  
8 A-c-o-s-t-a.

9 Q. And you're an Intervenor in this case, correct?

10 A. Yes, sir, I am.

11 Q. And how do you identify yourself ethnically?

12 A. I identify myself as a Mexican American.

13 Q. And where did you go to undergraduate school?

14 A. I went to UNC-Chapel Hill.

15 Q. And what year did you graduate with your bachelor's degree?

16 A. I graduated in 2017 with a degree in chemistry.

17 Q. All right. Are you presently in school?

18 A. Yes. I'm a second-year medical student at UNC-Chapel Hill.

19 Q. All right. I wanted to first ask you some questions about  
20 your childhood, Mr. Acosta.

21 Where did you grow up?

22 A. So I grew up in Hendersonville, North Carolina, which is in  
23 western North Carolina, about 30 -- 30 minutes south of  
24 Asheville.

25 Q. And how long did you live in Hendersonville?

1 A. I lived there my whole life, so I guess -- I'm 25 now, but  
2 before I started college I was 17, so 17 years.

3 Q. And who did you grow up with in your family?

4 A. I grew up with my mom, my dad, and three younger brothers.

5 Q. And what education level did your parents attain?

6 A. So my mom did finish middle school, and my dad finished  
7 middle school, but he didn't finish high school. And this was  
8 both in Mexico.

9 Q. All right. And what do your parents do for a living?

10 A. So my mom is a homemaker, and my dad works for a factory.

11 Q. And when you went to school, did you qualify for a free  
12 lunch?

13 A. Yes, yes, I did. Elementary school we got free lunches and  
14 breakfast.

15 Q. And were you the first in your family to attend college?

16 A. Yes, I was.

17 Q. Were you the last to attend?

18 A. No. I have three younger brothers that -- oh. Sorry,  
19 not -- the youngest is still in high school, but the next  
20 youngest brother went on to go to Appalachian State. He  
21 graduated there, and he's in school now to do something else  
22 with the medical field for paramedic. And then the next  
23 youngest brother is a freshman here at UNC.

24 Q. All right. And your youngest brother, you said he's in  
25 high school?

1 A. Yes, the youngest brother is in high school, and he's a  
2 junior. So he's still got some time, but I think college is  
3 definitely on his radar, so...

4 Q. Did your own college path help influence your brothers?

5 A. I feel like it did. You know, I don't know if they'd admit  
6 to it, but I think it allowed them to see, like, it's possible  
7 given what we had and there's more out there. And, you know,  
8 when they came to visit me those times here at UNC, I think it  
9 really left a number on them and they'll want -- I think  
10 college is something they want to be a part of and knowing that  
11 they have the opportunity to do it. So I think it did.

12 Q. What do your parents think of having had three out of the  
13 four sons, at least thus far, attend college?

14 A. Well, they're very proud of us. I think, you know, the  
15 whole education thing, they weren't really familiar with it. I  
16 don't think they realized, you know, how competitive schools  
17 are, how like -- you know, just how the environment is and,  
18 like, for us all -- for the first three to do it and fourth  
19 about to do it, I think it really, you know, made them proud of  
20 what we were able to do with what we were given and have the  
21 opportunity to do what they didn't have an opportunity to do in  
22 Mexico.

23 Q. I want to first talk about your life growing up -- or I  
24 next want to talk about your life growing up in Hendersonville.

25 Can you provide the Court with a general overview of what

1 the Hendersonville community was like growing up?

2 A. Growing up, I would describe it as, like, a very tight-knit  
3 community, very small, a lot of -- I think the generic, like,  
4 composure of the town was, you know, primarily like people from  
5 farm -- farming backgrounds and primarily white if they weren't  
6 farming, and there were Latinos and other groups spread around  
7 there. So definitely the majority was white.

8 Q. And did you ever personally observe or experience  
9 discrimination in the community based on your ethnicity?

10 A. Yes, I did. It was countless times that, you know, as a  
11 kid it would make you wonder, you know, why am I going through  
12 this and that. I don't know. It did leave a number on me as a  
13 kid, and now I do a little reflecting back on it.

14 But I think one key thing I remember in the community -- I  
15 was pretty young at the time, but we were driving, me and my  
16 mom, down to -- like beside the main street, and my mom was  
17 going the speed limit, and there's this anxious driver behind  
18 us. He was driving a truck. He was an older white male; and  
19 he reversed around, sped up, slowed down to be beside our car,  
20 and spit at the windshield where I was at, and told us, "Go  
21 back to Mexico, you spics," and just sped off.

22 And I don't know, like, as a kid, it just makes you wonder,  
23 like, why -- like, this is -- the way I am is a bad thing. So,  
24 I don't know, there's that and countless other stories, but I  
25 think that's like a big one that comes to my mind right now.

1 Q. Now, you attended school in Hendersonville; is that right?

2 A. Yes, yes, I did.

3 Q. And what schools did you attend there in Hendersonville?

4 A. So I went to three: elementary school, middle school, and  
5 high school, so -- yeah.

6 Q. And what was the name of the high school you went to?

7 A. East Henderson High School.

8 Q. Now, did you ever experience discrimination or observe  
9 discrimination because of your ethnicity in the schools?

10 A. Yes, unfortunately, I did, I think at every level. I had  
11 one encounter with that in elementary school. Like, I recall  
12 we were banned from speaking Spanish for the remainder of a  
13 year. It was like an informal ban, but, you know, all the  
14 kids -- we were -- I don't know. Maybe we were troublesome.  
15 I'm not sure. But every time we'd get in trouble and, you  
16 know, we'd -- we would, like, hang out after class -- or not  
17 after class -- sorry -- during lunch and speaking Spanish. But  
18 teachers thought we were speaking bad about them, and they said  
19 we couldn't speak Spanish anymore because they couldn't  
20 understand what we were saying. So that was a little odd. I  
21 was pretty young at the time.

22 And then I remember another story, middle school, where I  
23 had a classmate who was white and another friend -- another  
24 classmate who was Mexican, and we were all sitting at the lunch  
25 table, and my Mexican friend brought the little jalapeños in a



1 cup -- not a cup -- sorry -- in a can you can buy at the store,  
2 the jalapeños and carrots and all of those things. He had one  
3 of the carrots there, and my white friend wanted to play a  
4 prank on his sister. So he grabbed the carrot, put it on his  
5 sister's plate and swapped it out for the carrot she had on her  
6 plate. Then she ate it, got, like, really -- like, that was  
7 super, super hot and then started rubbing her eyes and then,  
8 you know, she had to go to the eyewash station. And after  
9 that, like, you know, they got in trouble, but my Mexican  
10 friend got suspended, but my white friend who did it didn't.

11 And then from that point, though, like, all the Hispanics  
12 from that grade level, we were all put in a classroom by  
13 ourselves, and it was sort of like -- I don't know, like, what  
14 the intention was there, but it was like a threat. But that's  
15 what happened after that incident, and we got a good talking to  
16 about that.

17 And then the last thing was probably in high school was,  
18 like -- you know, obviously, I had some issues going into --  
19 like, going to high school to begin with, like, with the  
20 advisors and not wanting me to go into certain classes.

21 But I think the bigger thing was, like, when I was, like,  
22 playing basketball the first year, just receiving, like, all  
23 sorts of negative comments from the upperclassmen. At the  
24 beginning they thought I was Asian. They would call me chink  
25 and ching chong and all these different things and, like, would

1 just chunk the ball at me at practice and kind of be, like,  
2 physically abusive, too, in the locker room, like push and  
3 shove me and call me names. And they found out I was Mexican,  
4 and they just changed their wording from chink and ching chong  
5 to spic and wetback and beaner.

6 I don't know. It was tough, but, like, you know, I would  
7 just be nice and hope for the best. But, yeah, I mean, it  
8 sucked looking back on it, but that's how it was.

9 Q. Now, do you feel whether your race is seen differently than  
10 your socioeconomic status?

11 A. I feel like there's -- like, from all those times I've  
12 been, like, you know, discriminated against, you know, the  
13 first thing they said or the first thing that came to their  
14 mind was about my color and who I was, right. Very rarely did  
15 I get anything about the economic status, like, just because  
16 people could hide that, I feel like, but being a minority group  
17 you can't really hide. So, yeah.

18 Q. And did you take a -- what type of coursework did you take  
19 at East Hendersonville High School?

20 A. I feel like I took all the, you know, rigorous courses I  
21 could take there, mainly consisting of honors and AP classes.  
22 I just tried to challenge myself as much as I could when I was  
23 there.

24 Q. Did you ever have any problems getting into any certain  
25 classes at East Hendersonville High School?

1 A. Yes, I did, mainly at the beginning when I was going from  
2 an eighth grader into a ninth grader. You know, I don't think  
3 the counselor -- that counselor at the time didn't know what  
4 type of student I was, had her doubts and -- you know, I placed  
5 out of Algebra I. I was in the advanced math classes, and I  
6 was trying to take Algebra II or geometry, but she didn't let  
7 me. She was trying to tell me I wasn't ready for it and I had  
8 to take Algebra I again; I couldn't handle the rigor and all  
9 these other things. But, like, I was also the only Hispanic in  
10 that eighth-grade cohort, and she was the only one that told me  
11 those comments. And, you know, thankfully she's not there no  
12 more.

13 But it was just odd to me that, like, you know, in talking  
14 to my friends, like, "Are you all getting these comments from  
15 her? Is she telling you not to take it like I can't take it?"  
16 And they all would say no. So it was a little odd.

17 And then too, like, you know, there's an AP course, AP  
18 World, which is, like, the class that all the ninth grade  
19 high-achieving students are supposed to take to, you know, stay  
20 competitive, but they didn't let me into that one either. They  
21 just said I couldn't handle it, I wasn't ready to handle it  
22 yet, but -- yeah.

23 Q. And do you recall whether there were any persons of color  
24 in that world history AP course?

25 A. No, there wasn't any in that one. Yeah, no. Actually, no,

1 there wasn't.

2 Q. And in the other advanced and AP courses that you took at  
3 East Hendersonville High, were --

4 A. So all the other, you know, AP maths and bios and language  
5 arts, like, there is very -- there was not any -- I was usually  
6 the only one in my -- one of my really good friends from UNC  
7 also was the other one for, like, the language arts courses.  
8 So it was like I was the math/science person. He was the  
9 language arts person. But, yeah, we were it, just me and him.

10 Q. And in high school what extracurricular activities did you  
11 engage in?

12 A. So I played basketball until my junior year. I played  
13 tennis for the majority of it. I did a lot of extracurriculars  
14 with other student groups at the school that did  
15 service-oriented things, and I think the most -- most of my  
16 amount of time was spent at the Boys & Girls Club toward the  
17 end, so volunteering there.

18 Q. And approximately how many hours did you volunteer?

19 A. Oh, man. Well, I definitely -- at least 300, upwards of  
20 that area. I didn't want -- I spent a good majority of my time  
21 there just because I enjoyed it so much. So I think it was  
22 over 300.

23 Q. Some of your academic qualifications are listed in Exhibit  
24 DI30 that's been entered or will be entered into this -- I  
25 think into the record in this case. But, generally speaking,

1 how do you feel you did academically in your coursework in high  
2 school?

3 A. I feel like I did solid. I feel like I did, you know, as  
4 well as I could have. I finished sixth out of  
5 200-and-something kids at the end of the day, and that -- I did  
6 well. I got As and Bs in every single one of my courses and  
7 did challenge myself as much as I could there, so I think I did  
8 good.

9 Q. And I don't want you to disclose your specific SAT and ACT  
10 and AP scores here. They are identified in Exhibit DI30. But  
11 how do you feel you did on those standardized tests?

12 A. Knowing -- like, I didn't know the resources I had and, you  
13 know, that you actually had to study for it -- again, I didn't  
14 know what went down in the whole college thing, but I feel like  
15 I didn't do my best, but I feel like I did what I could with  
16 the resources I had. You know, I -- I think I would hear kids  
17 getting tutoring and buying all these books for it, and it just  
18 never, you know, occurred to me or it was something I thought I  
19 should have done. Even if I could have done, I probably would  
20 have felt guilty asking my parents for the money just because,  
21 like, you know, I was the first one to go, but there were three  
22 younger ones they've got to worry about. So, yeah, I don't  
23 think I did the best I could have, but, you know, I did what I  
24 could at the time.

25 Q. So just to be clear, you didn't know that you could

1 participate in tutoring or that there were certain workbooks  
2 that could possibly help you, you know, study and improve your  
3 scores?

4 A. Uh-huh. I had no idea, none at all, just like -- I just  
5 heard people just taking it, and I was like, "I guess I've got  
6 to take this to get in." That's it. I didn't really study at  
7 all. No, I didn't study at all.

8 Q. Do you feel your college entrance exams reflect your  
9 ability to succeed in college?

10 A. I don't think they did. I'll be honest, the first semester  
11 was tough for me, but, you know, after that -- like, it was all  
12 uphill. I didn't let that hold me back. At the beginning, you  
13 know, you hear the students bragging about the SAT, ACT and  
14 just feel like reflecting on that the first semester in  
15 college.

16 But, like, I mean, after that little phase runs out,  
17 it's really just -- college is a whole different ballgame.  
18 You're by yourself, and it's where, you know, your work ethic  
19 comes out. You know, if you're motivated, you get through it  
20 and everything. I feel like it's just one of those things  
21 that's meant for college admissions and is a factor, one of  
22 many, you know.

23 Q. Sure. And when did you first become interested in applying  
24 to UNC?

25 A. So I first became interested in applying to UNC, like

1 actually, actually applying, the summer going into my senior  
2 year. I met a mentor of mine through the Boys & Girls Club.  
3 She was at Duke University. You know, I was telling her what I  
4 wanted to do with my life. She gave me kind of like an  
5 overview of where I could apply, and UNC was one of those. You  
6 know, I had only seen them, like, playing basketball, and you  
7 know, they had a good reputation as, like, the state college.  
8 You know, everybody wants to be a Tar Heel. So I just didn't  
9 put two and two together and actually apply until that summer  
10 because I had her guidance at that point.

11 Q. And what was the race or ethnicity of your mentor from  
12 Duke?

13 A. So she was Mexican American.

14 Q. And who filled out your application?

15 A. So that was all me. You know, everything was on me.

16 Q. And how was that experience for you and how old were you?

17 A. It was very difficult. Like, definitely a lot of stress  
18 and, you know, having to do that with school at the time,  
19 preparing for exams, just feeling alone with all of it. You  
20 know, I recall talking to my buddy, the one who came here and  
21 was also, you know, I would say, like, the other minority with  
22 me that was high performing, you know. We were complaining  
23 about it, saying we want to give up, like maybe we shouldn't go  
24 to college. But, you know, having him around, we talked each  
25 other into finishing it out, but it was very difficult. Just a

1 lot of questions, a lot for a 16-, 17-year-old kid that didn't  
2 know what to put and didn't want to put the wrong thing, you  
3 know.

4 Q. Were your families able to assist you with filling out the  
5 application?

6 A. No, they were not. You know, I just asked them to give me  
7 the documents, and I would take the rest from there. But, you  
8 know, I did try to get them, but they just didn't understand  
9 much of what was going on. English isn't their first language,  
10 so I just really had to research and do it all on my own.

11 Q. Now, when you applied, you requested a fee waiver for the  
12 application fee at UNC; is that correct?

13 A. Uh-huh, yeah. So that was brought -- I got a fee waiver  
14 for that and the SAT and I think something else. But, gosh, my  
15 junior and senior year advisor, very nice lady. She helped me  
16 out so much with that. So I was very thankful for her  
17 assistance with all of that.

18 **MR HINOJOSA:** And, Your Honor, at this moment we're  
19 going to show the college application. If we could take off  
20 the feed. We're not going to want the portion of the  
21 transcript sealed, but we will -- want to ensure we don't show  
22 the application.

23 **THE COURT:** All right. Understood.

24 (Audio privacy settings were turned on.)

25 (Sealed portion of trial testimony occurred next and



1 appears under separate cover filed with the court.)

2 (Audio privacy settings were turned off.)

3 **THE CLERK:** Okay. They're ready to go, Judge.

4 **THE COURT:** All right. You may proceed.

5 **MR HINOJOSA:** Sorry about that.

6 Q. (By Mr. Hinojosa) But I had just asked you about whether  
7 you had taken any classes where there was a greater level of  
8 diversity in the class.

9 A. Okay. So greater level of diversity was in my sociology  
10 courses. It was a little different for, like, a pre-med kid to  
11 be taking that, but I think for me, I wanted to get, like, the  
12 full picture.

13 So this class I was in is about society and health, and it  
14 was interesting because, like, you know, we have people from  
15 all different backgrounds. There was a stat about black  
16 females of each income level -- so lower, middle, and upper --  
17 and they were comparing miscarriage rates and premature births  
18 to white women and Latino women and Asian women and the  
19 American. So they had it all. Like, the minorities were the  
20 ones that had the lower right, and the black females at every  
21 level was worse than a white female at the lower income -- the  
22 lowest income level.

23 I don't know. I think that that definitely did a number on  
24 me, like, reflecting on that, like, why is that. I remember  
25 people were getting in discussions about, like -- you know, no,

1 like, racism is the most ordinary -- like, socioeconomic -- all  
2 these other things, but it's hard to -- the battle of the  
3 stats. And, like, even now as a medical student, there are so  
4 many things like that where race really does impact health  
5 outcomes; and, you know, like I said, it's sort of like a  
6 growing thing. We're just not sure in what way.

7 But it was definitely, like, having that space back then,  
8 reflecting on that, and then, like, remembering those details  
9 now, you know, it's, like, allowed me to get a full scope of  
10 everything.

11 Q. Were the different perspectives that you were talking about  
12 offered by people of different races?

13 A. Yes.

14 Q. And did that help you think about things differently also  
15 in that moment?

16 A. It did. It did, and especially under the guidance of that  
17 instructor. You know, she was very amazing with what she does  
18 and her research, and the way she taught the class helped a  
19 lot, all of it.

20 Q. All right. Now, outside of the classroom, did you have  
21 opportunities to meet new friends and build relationships with  
22 people across races and ethnicities?

23 A. Yes. You know, I think outside the classroom there wasn't  
24 a whole lot of us, but, you know, the few that we did have,  
25 like, you know, we were -- we knew of each other. We would

1 walk around and give each other head nods, and, like, you know,  
2 we'd always, like, greet each other. That's just the way the  
3 minorities were. We were close-knit, I believe, and I think it  
4 was cool that I could -- you know, I felt, like, nice knowing  
5 that I had those few around there.

6 Q. And did you have the opportunity to meet people that you  
7 had never met before of different races and culture?

8 A. Yeah. You know, I had never met African people before. I  
9 had never met, you know, a lot of Indian people before,  
10 different Asians. Like, you know, I really got everything at  
11 UNC and really broke down a lot of things I had coming in about  
12 some people and helped me build, like, you know -- be a really  
13 overall diverse person with that, you know.

14 Q. Now I want to talk a little bit about diversity within  
15 diversity.

16 Did you personally have any stereotypes about more affluent  
17 Latinx students or more affluent white students?

18 A. Yeah. So, I mean, I kind of came in thinking the rich kids  
19 were stuck up, but now, like, once I got to meet people, it was  
20 like, you know, it all just boils down to how people are  
21 raised.

22 Like giving you an example, you know, I had an upper-income  
23 student who was white and, you know, probably -- one of my best  
24 friends now. But, you know, I convinced him to join this group  
25 I was in and, you know, the way he connected -- so the group

1 was geared towards, like, mentoring at-risk Latino middle  
2 school students; and, you know, he was able to kind of change  
3 some perspectives he had about, you know, undocumented students  
4 and -- because he was born on the conservative side of things  
5 and, like, here he really had a space to, like, understand how  
6 these other kids are living their lives. You know, we took  
7 some trips to their neighborhoods, and he met with the family  
8 and, like, kind of got a good rapport with them, and -- you  
9 know, just because some students aren't as fortunate. I think  
10 that really changed the way he thought about things.

11       There were two Latino first-year students I recruited. I  
12 didn't know, like, their parents were pretty high-end, like  
13 CEOs of certain things; and, like, those Latinos I feel like  
14 were really cool in that they were really there to help out the  
15 program and kind of kept out their whole -- you know, all the  
16 riches they had. Like, they just -- I don't know. They did  
17 good in not, like, bragging about it and making people feel  
18 uncomfortable about the things they had and, like, what these  
19 kids didn't have like I had seen in the past. I don't know. I  
20 really thought it was cool just, you know, having that  
21 diversity within diversity, just breaking down the barriers and  
22 biases I had.

23 Q. Did it also break biases down they had about people like  
24 you?

25 A. Yeah, yeah, I think it did. Like I said, those Latino

1 kids, like -- just everyone is different, you know. Everyone  
2 has got their own story and roles and stuff. Low income,  
3 middle income, high income, like, as long as they have the  
4 common goal, I think everything can work out.

5 Q. Now, at the medical school have you belonged to any  
6 organizations or associations?

7 A. So I was a copresident for the Latino Medical Student  
8 Association, and I was also in the student government. I was a  
9 VP for diversity and campus affairs. So those are my two big  
10 things. I did some other things here and there, but those are  
11 the big things.

12 Q. You testified here today about some of the benefits of  
13 diversity that you've experienced at UNC.

14 What sort of impact do you believe this will have on you  
15 professionally when you graduate?

16 A. I think for me, it's going to allow me to be just like a --  
17 just like a doctor that can critically think about certain  
18 issues and just keep everything in context because, like, you  
19 know, obviously -- you said professionally, right? Describe  
20 how it was going to help me professionally?

21 Q. Yes.

22 A. Okay. You know, like, as a kid, my mom -- we were on WIC  
23 and like, you know, having -- knowing what resources we had  
24 back then and, like, being able to see, like, you know, what  
25 ways we can improve low-income families, those resources,

1 having those experiences.

2 But then also, like, hearing the different things about,  
3 you know, these stats on what populations are more at risk will  
4 allow me to put a little bit more focus and not miss certain  
5 key things when I'm building, you know, my differential or,  
6 like, one -- have a treatment plan and assessment with my  
7 patients in the future. So I really do think having all those  
8 experiences are going to help out in the long run.

9 And also, even when it comes to food, right, all these  
10 different students I have interacted with, like, had different  
11 cuisines and just being familiar with, like, what they eat and  
12 being able to fit that can help out in the long run.

13 Q. Why is it important that state flagships like UNC remain  
14 visibly open to underrepresented students of color like  
15 yourself?

16 A. I think it's helpful because, like, UNC is so big and,  
17 like, I feel like they've got a lot of resources for this. And  
18 I remember, like, even applying to schools like -- there was a  
19 couple schools I stayed away from just because of their  
20 reputation and, like, not having as many Latinos around. I  
21 think UNC has got a cool thing in that, you know, they have a  
22 good opportunity to really retain the best of the best by  
23 remaining visibly open so they could really improve the state  
24 with the overall everything, you know.

25 Q. All right. Thank you, Mr. Acosta.

1           **MR. HINOJOSA:** No further questions.

2           **THE COURT:** Yes.

3           **MR. HASSAN:** No questions, Your Honor.

4           **MS. HENDERSON:** No questions.

5           **THE COURT:** All right. Thank you, sir. You are  
6 released at this time. We appreciate you being here.

7           **THE WITNESS:** All right. You all have a good one.  
8 Appreciate it.

9           **THE COURT:** All right. Let us take our morning  
10 recess, and we will resume at 11:35.

11           (A morning recess was taken from 11:20 until 11:35 a.m.;  
12 all parties present.)

13           **THE COURT:** Call your next witness, please.

14           **MS. TURNER:** Emily Turner, Your Honor.

15           Defendant Intervenors call Rimel Mwamba.

16           **THE COURT:** Thank you.

17                   **RIMEL MWAMBA, INTERVENORS' WITNESS, SWORN**

18                           **DIRECT EXAMINATION**

19           **BY MS. TURNER:**

20                   **THE COURT:** You may remove your mask if you're more  
21 comfortable that way.

22                   **THE WITNESS:** Thank you, Your Honor.

23           Q. Good morning, Ms. Mwamba. Could you state your name for  
24 the record, please?

25           A. Yes. My name is Rimel Gason Mwamba.

1 Q. Can you describe your educational background?

2 A. Yes. For high school, I went to Spring Valley High School  
3 in Columbia, South Carolina, where I attended the Discovery  
4 Magnet Program for math and science; and then for university, I  
5 attended the University of North Carolina at Chapel Hill with a  
6 dual enrollment at Duke University through the Robertson  
7 Scholarship.

8 Q. For the record, when did you graduate from the University  
9 of North Carolina?

10 A. I graduated in 2018.

11 Q. And what did you study there?

12 A. I studied global health with -- global studies with a focus  
13 in global health with minors in chemistry and human  
14 development.

15 Q. Did you receive any honors or scholarships while you were  
16 at UNC-Chapel Hill, besides the Robertson Scholarship?

17 A. Yes. I was also a Ron Brown Scholar captain, and I also  
18 graduated with distinction, and I was an Honors Laureate.

19 Q. This case involves UNC's ability to consider race and  
20 ethnicity in its admissions process.

21 Do you identify with a particular race or ethnicity?

22 A. Yes, I identify with black/African American.

23 Q. And are you originally from the United States?

24 A. No. I was actually born in Lubumbashi, Democratic Republic  
25 of Congo; and at the age of 3, due to political instability, I



1 went to Belgium where I lived for three years and then came to  
2 the United States at the age of 6.

3 Q. And do you speak any languages other than English?

4 A. Yes, I am a native French speaker.

5 Q. Can you also tell us a bit about your parents' educational  
6 background?

7 A. Yes. So my father is also from the Democratic Republic of  
8 Congo where he received a medical degree, and after he came to  
9 the U.S., he redid his residency and received another M.D. so  
10 he could practice medicine in the United States. And my mother  
11 received a bachelor's degree in the Democratic Republic of  
12 Congo.

13 Q. I'm going to ask you some questions now about your high  
14 school experience. I believe that you mentioned you were in a  
15 specific magnet program.

16 Can you tell us a little bit about that?

17 A. Yes. So Spring Valley High School is actually a public  
18 school in Columbia, South Carolina; and in middle school,  
19 you're able to apply for specific magnet programs if your  
20 academic record allows. And so I decided to attend the math  
21 and science magnet, in which there were approximately 30  
22 students, and I was one of two black students, with the  
23 majority of students being either Asian or Caucasian.

24 Q. And what was the racial and ethnic makeup of your high  
25 school more generally?

1 A. More generally, I would say it was pretty evenly split  
2 between white and African American. There were very few Latinx  
3 individuals, as well as Native American individuals.

4 Q. And do you believe that your experience as one of two  
5 African Americans in the magnet program affected your sense of  
6 racial identity?

7 A. Absolutely. Being primarily from a country in the DRC,  
8 Congo, where I was not a minority really did not allow me to  
9 see what it meant to be black and what blackness meant in the  
10 U.S.; and so when I initially came to North Carolina for middle  
11 school and then South Carolina for high school, I had a really  
12 big sort of shift in who I believed I was.

13 And, for instance, while I was in high school, you know,  
14 oftentimes my -- the fact that I was in advanced coursework, I  
15 was either the only black person or one of two, and so at times  
16 when I was with my friends or other classmates, people would  
17 make comments like, "Oh, you're not black black," or "You are  
18 an Oreo. You're black on the outside, but you're white on the  
19 inside."

20 And I really internalized that feeling, and I really wanted  
21 to separate myself from my blackness because if my peers were  
22 saying that there was something wrong with being black and that  
23 having white inside or not being too black was a good thing,  
24 then I really wanted to separate myself from that blackness and  
25 adopt as white of an identity as I could.

1 Q. And do you feel that your academic success affected how  
2 people treated you in relation to your race?

3 A. Yes. So I very much believe that my sort of high achieving  
4 and academic work resulted in a protective factor in the idea  
5 that, you know, I worked really hard at school, and people saw  
6 me not just as black Rimel but the really smart one. And so my  
7 identity as a black person was kind of stripped from me, and I  
8 really took on the identity of a very intelligent person, but  
9 that didn't always protect me because, you know, I was involved  
10 with a lot of extracurriculars in high school.

11 For example, I played lacrosse. So at times when I was in  
12 contact with people who didn't know me very well or didn't know  
13 me at all is when that protective nature of my academic prowess  
14 sort of went away. I had people -- people's parents on the  
15 lacrosse field yell racial slurs or people that I was playing  
16 against who didn't know me sort of make judgments and comments  
17 about my race, whereas when I was in class, that wasn't really  
18 the thing.

19 Q. Overall, do you think that your racial and ethnic identity  
20 impacted the perspectives that you developed while you were  
21 growing up?

22 A. Yes. As I briefly mentioned before, I really did not want  
23 to align with my race. I didn't want -- as ashamed as I am to  
24 say it, I didn't want to be black. I -- I am sorry.

25 **THE COURT:** Take your time.

1                   **THE WITNESS:** Thank you.

2   Q.   (By Ms. Turner) Thank you.

3   A.   I'm sorry.

4   Q.   Yes. Go on.

5   A.   I didn't want to be black. I -- you know, there was a  
6 point in my life where I asked my mom to give me relaxers so I  
7 could make my hair really straight because I really wanted that  
8 more Eurocentric look in high school. So even though it burned  
9 my scalp, I still did it because I didn't want to be aligned  
10 with my blackness. I didn't want my hair to be big. I wanted  
11 to be as far from it as possible because my environment wasn't  
12 one in which blackness was prideful.

13   Q.   Thank you, Ms. Mwamba.

14           When you applied to UNC-Chapel Hill, did you share anything  
15 in your application about your racial identity?

16   A.   Yes. So I shared my nationality -- my original nationality  
17 first, that I am from Congo, and I really wanted to also put  
18 that I am black/African American because I wanted the schools  
19 to contextualize my experience and to see that, you know, with  
20 all the things that I've done in high school and my life, my  
21 race was a very big part of that identity that I developed.

22   Q.   And do you think that it was important for UNC to be able  
23 to consider your racial identity when they were considering  
24 your application?

25   A.   I definitely do. I think one thing about coming to this

1 country is seeing how really racialized everything is --  
2 right? -- and how subjugation of particular groups across  
3 history has kind of brought us to where we are today. And I  
4 think that it's really important, at least for my application,  
5 that UNC see what -- who I am, you know, holistically and how  
6 the color of my skin and the texture of my hair impacted my  
7 upbringing.

8 Q. We've been talking about your racial identity, but I'm  
9 going to ask you some questions now about your socioeconomic  
10 status.

11 When you were in elementary school, how would you describe  
12 your parents' socioeconomic status?

13 A. So in elementary school was the time right when we came to  
14 the U.S. together, when I was about 6; and so it was me, my  
15 older sister, who was 8, and my two parents. And because of  
16 the fact that we didn't speak English and that my father was  
17 not able to practice medicine because the general U.S. medical  
18 laws prevent certain foreigners from practicing without redoing  
19 residency, he actually worked as a gas station attendant and a  
20 few other, you know, small jobs here and there. And so we did  
21 not have much money growing up, particularly in elementary  
22 school.

23 Q. Did that change over time?

24 A. Yes. So he -- my father, through grit and sheer  
25 determination, was able to relearn medicine, you know, in

1 English and pass the medical board exams so that he could go  
2 into residency and practice medicine again. So by the time we  
3 moved to I believe South Carolina in 2009, I believe, he was  
4 able to practice medicine, and so his salary definitely  
5 increased, and my family and I had a lot more financial  
6 stability.

7 Q. And is your perspective shaped by your socioeconomic  
8 identity?

9 A. Yes, it has. I think -- excuse me. I believe that moving  
10 from a pretty low socioeconomic status to a higher one over  
11 time definitely gave me a greater perspective not only on what,  
12 you know, financial stability meant in the U.S., but also what  
13 that looks like for someone like me, an immigrant, because  
14 although my father is and was making more money, he still had a  
15 lot of responsibility to other members of our family in Congo,  
16 you know, who relied on him, both his family and my mother's as  
17 well, because he was a primary breadwinner for those people.  
18 And, you know, we didn't really have that generational wealth  
19 built into our family, and so all the money that he made was  
20 spent, you know, kind of paying off debts from our initial time  
21 in the U.S. and funding other family members. So it's  
22 definitely given me a shift in perspective.

23 Q. And given what you just testified about, do you think that  
24 your socioeconomic experience is the same or different from  
25 students with a similar socioeconomic background but a

1 different racial background?

2 A. I would argue that it's different, and I -- I believe I  
3 touched on that a little bit before. But although someone who  
4 may be in the same socioeconomic class as me now but different  
5 race might have had somewhat similar experiences, I still  
6 believe that my background and general racial identity has  
7 given me a unique perspective and unique life experiences that  
8 would not be the same.

9 Q. Can you meaningfully separate your socioeconomic identity  
10 from your racial and ethnic identity?

11 A. I'm sorry. I didn't quite catch the first part.

12 Q. Can you meaningfully separate your socioeconomic identity  
13 from your racial and ethnic identity?

14 A. No. I say that I have a pretty intersectional identity,  
15 and it would be hard for me to take the two apart.

16 Q. And I'm going to ask you some questions now about your  
17 experience once you were a student at UNC-Chapel Hill.

18 When did you begin at UNC, roughly?

19 A. I began, I believe, August of 2014.

20 Q. And I believe you testified that you majored in global  
21 studies?

22 A. Yes.

23 Q. And why did you choose that major?

24 A. Yeah. So I actually came into UNC wanting to be a biology  
25 major because I wanted to go into the premedical track. That

1 was -- you know, what I wanted to do in life is to be a  
2 physician, a doctor. And so going in I went in as a biology  
3 major and then decided to go into global studies because I  
4 wanted to expand my idea of the world and my knowledge of it.  
5 I knew that either way I would have to take the chemistries,  
6 biologies, physics courses that are required to enter medical  
7 school, and so I wanted to focus my energy and my time also  
8 understanding the broader world.

9 Q. While you were a student at UNC, did you have the chance to  
10 take classes with students from racially diverse backgrounds?

11 A. I did have that opportunity, although quite a few  
12 courses -- given that, as I said before, I was pre-med, so some  
13 of my STEM courses did not have as much diversity as some of my  
14 other courses.

15 Q. Did the level of racial diversity in a classroom make a  
16 difference to your learning environment?

17 A. Absolutely. I -- when I think about the classes in which I  
18 was surrounded by more diverse people, I happily look back on  
19 the support that I received in class from my peers and also the  
20 sheer knowledge that I gained from them, from understanding and  
21 hearing their life experiences, you know, where they're from,  
22 where their parents are from, how their upbringing and whatever  
23 impacted their current knowledge and their perspectives.

24 And so when I compare that to courses in which there was  
25 less diversity, I oftentimes felt lonely because what happened



1 in the classroom doesn't always end there, right? There are  
2 things happening on the outside world where the hope is that  
3 you go into the classroom and you forget all about that and you  
4 learn how these molecules interact with one another, but then  
5 the reality of it is you carry that with you into the  
6 classroom. So when things came up that were really impactful  
7 to me and my identity, I had to sit in those classes where I  
8 saw not many people who looked like me, and it just felt really  
9 lonely.

10 Q. Did the level of racial diversity in a classroom affect  
11 your ability to participate in that class?

12 A. Yes. So there were times when, you know, for me at least,  
13 I was the only either person of color, a black person, a black  
14 woman in a classroom; and there may have been instances in  
15 which a comment was made about black people or a comment was  
16 made about immigrants; and when I was one of only, if not the  
17 only, I felt that I had to speak up in defense of everything  
18 black and everything immigrant. And so that was very  
19 exhausting. So sometimes, you know, I'd take that leap, and  
20 I'd speak up and engage, but other times I was just so  
21 emotionally drained and tired.

22 And so when I had other people in the class who also came  
23 from diverse backgrounds and who were people of color, I felt  
24 way more supported. You know, sometimes you glance over and  
25 you look at this person who you know would also speak up, and

1 you kind of head nod to each other because you know that they  
2 have your back, and you know they're also engaged to support  
3 the claim that you're making.

4 Q. Overall, do you think that there is adequate representation  
5 of students of color on campus?

6 A. No, not at all.

7 Q. Are there any other instances you remember where the lack  
8 of representation of students of color made a difference to  
9 your experience?

10 A. Absolutely. Outside of the classroom this also happened.  
11 For instance, when I got back -- I studied abroad into  
12 Africa, and then when I came back in the fall of 2016 when  
13 President Trump was elected and there were tensions on campus,  
14 I remember going out to Little Frat Court at UNC to go to a  
15 party and being stopped at the front door by who I presumed was  
16 a fraternity member, a white male, and being told that my  
17 president says it's okay to kick out the N words; and then a  
18 separate incident a few months after when I went to another  
19 fraternity party and then being told that no slaves were  
20 allowed in.

21 And in those moments, really feeling defeated -- angry and  
22 frustrated, but also really defeated because around me there  
23 weren't really other people of color or other black people, and  
24 so you kind of feel like you're on your own and -- yeah.

25 Q. Did you get a chance to participate in extracurricular

1 activities at UNC where you were in groups of students with  
2 more racially diverse backgrounds?

3 A. Yes. So I actually had the incredible opportunity to be a  
4 part of an online publication called "The Bridge," which is a  
5 publication that was created by two women of color, one who  
6 identified as black and the other as Latinx, who really wanted  
7 to have a platform for black and Latinx and Native American  
8 women to be able to express themselves artistically.

9 And it was one of the few places where I felt really seen  
10 and understood and heard because, you know, you'd walk into a  
11 meeting of "The Bridge" and see just a plethora of black women,  
12 in particular, and Latinx women who were incredibly supportive  
13 and who had very unique and amazing life histories that made  
14 them diverse as well. So even within the black community you  
15 had such flagrant diversity and -- of experience and  
16 background.

17 You know, for the first time in my life, I really came to  
18 understand the livelihood of, you know, black Latinx women, who  
19 I never interacted with before, but their very unique outlook  
20 on life and experiences with that identity.

21 And so I felt really happy and really supported in that  
22 space.

23 And another -- another extracurricular that I was able to  
24 commit to was rugby, where I got an incredible opportunity to  
25 play with, you know, femme-identifying individuals who were of

1 very diverse sexual orientations and even races as well, where  
2 I really came to understand the plight of people who are both  
3 similar and different to me.

4 And so those two spaces were very -- if those two places  
5 didn't exist for me at my time at UNC, I'm not really sure how  
6 long I would have lasted because they served to reignite my  
7 passion for education and for being around others and for  
8 learning in that environment.

9 Q. You testified earlier about how your experiences in high  
10 school affected your racial identity and sense of self.

11 Did your sense of racial and ethnic identity change while  
12 you were at UNC-Chapel Hill?

13 A. Yes, I can very happily say that I grew more into myself at  
14 Chapel Hill, and I guess an example of that would be -- I know  
15 I touched upon the idea that I used to relax my hair a lot in  
16 high school and middle school, you know, for the purpose of  
17 appearing more Eurocentric.

18 I got to college. My second year I cut all my hair off,  
19 and I -- I grew it out, you know, in a way that I was proud  
20 because I had seen so many amazing, beautiful, you know, black  
21 women on campus who were proud of their hair and their crowns  
22 and who taught me how to take care of and love mine.

23 And so as I interacted with other black women, but also  
24 other women and people of color in general, I was able to be  
25 proud of my skin color and really be proud of my identity and

1 not shy away from it, you know, be insulted at the idea of  
2 being an Oreo, because I'm black on the inside too, and that's  
3 great.

4 Q. Thank you.

5 And I'm sorry to bring this up again, Ms. Mwamba, but you  
6 described being called a slave.

7 Was the historical legacy of slavery at UNC-Chapel Hill a  
8 particularly salient issue while you were attending?

9 A. Yes. So actually, while I was at UNC there were -- there  
10 were conversations about Silent Sam far before I got there as  
11 well, but I know that when I got to campus, those conversations  
12 really began to ignite again. Silent Sam is the Confederate  
13 monument on UNC's campus that brought a lot of emotional,  
14 psychological, and even physical stress to my community, at  
15 least the black community. And so while I was on campus, there  
16 were larger conversations happening about what it meant to have  
17 a Confederate soldier on UNC's campus.

18 And, you know, as a black person, you ask yourself does  
19 this school actually value my being here by allowing, you know,  
20 a statue that commemorates such a violent history towards black  
21 people. And so as those conversations were going on, there  
22 were also rallies, and, you know, I remember instances in which  
23 you'd get -- I'd get text messages from other black friends  
24 saying, "Hey, be careful. You know, the Sons of the  
25 Confederacy are on campus. If you can, go home another way, go

1 home another route." Because the spaces were just really, you  
2 know, emotionally and physically violent surrounding Silent  
3 Sam.

4 Q. Thank you.

5 And just to finish, I'm going to ask you a few questions  
6 about the future.

7 What are you doing currently?

8 A. Yeah. So currently I am a research fellow at the Duke  
9 Global Health Institute, along with a research specialist at  
10 the Duke Department of Psychiatry and Behavioral Sciences,  
11 where I'm doing really awesome research that deals with HIV  
12 among pregnant women in Moshi, Tanzania, and also deals with  
13 the impact of HIV and drug use on the anatomy of the brain.

14 Q. And do you have plans that were affected by the coronavirus  
15 pandemic?

16 A. Yes. So I was actually supposed to go and finish out my  
17 project in Tanzania in May, but because of the virus, I had to  
18 stay here, although I am doing a good bit of work remotely; and  
19 I was also expected to go to the University of Utah in the  
20 hopes of being a coordinator for a research project on  
21 diarrheal diseases in Ghana and Bangladesh, but unfortunately,  
22 that project did not start because of the virus.

23 Q. And are you considering seeking further education for  
24 yourself?

25 A. Yes. I'm actually in the mix of the medical school

1 application cycle, and luckily I have been accepted to a few  
2 medical schools that I will pick one and attend in the fall of  
3 2021.

4 Q. Is there one that you're particularly interested in?

5 A. I am really interested in the Emory School of Medicine, as  
6 well as UChicago School of Medicine, because in my interviews,  
7 they very passionately spoke about their entire racist  
8 initiatives and their student bodies; and, you know, faculty  
9 and staff were very diverse and really put diversity at the  
10 forefront of their mission because they believe that a diverse  
11 set of physicians will be able to, you know, engage positively  
12 with a diverse patient population. So I'm really happy about  
13 that.

14 Q. Congratulations.

15 A. Thank you.

16 Q. More broadly, what are your long-term goals for the future?

17 A. Yeah, so I really hope to practice medicine. I'm not  
18 entirely sure of which specialty I want to go into, although  
19 from my past work I'm really passionate about infectious  
20 disease with medicine and research because I want to find  
21 clinical interventions and develop them that really work to  
22 address healthcare disparities both in the U.S. and outside of  
23 it borders.

24 Q. And do you think that your experiences with racial and  
25 ethnic diversity at UNC-Chapel Hill impacted your ability to

1 achieve those goals?

2 A. Yes. I -- again, I look back on my time on UNC, though not  
3 perfect, and understand that the people that I met and the  
4 experiences that I've had have shaped my perspective as to what  
5 kind of doctor I want to be and as a doctor that, you know, has  
6 a really diverse patient population, who I know how to treat  
7 and how to talk to and how to care for, because I understand  
8 that their unique life experiences make them a holistic person,  
9 and I really want to address every part of their being, you  
10 know, not just the clinical part, but also the psychological  
11 and emotional aspects of being who they are.

12 Q. Thank you, Ms. Mwamba.

13 **MS. TURNER:** We have no further questions for this  
14 witness.

15 **THE COURT:** All right. Questions?

16 **MR. HASSAN:** No further questions. Just would like to  
17 thank the witness for sharing.

18 **MS. HENDERSON:** No further questions, but I would like  
19 to thank Ms. Mwamba for her testimony.

20 **THE COURT:** Thank you.

21 Thank you so much, and you are released at this time.

22 **MS. TURNER:** Your Honor, subject to the Court's  
23 admission of Intervenor's exhibits, we have no further  
24 witnesses at this time.

25 **THE COURT:** All right. Thank you.



1 (The witness left the stand.)

2 **THE COURT:** Well, it looks as though we have a little  
3 time before -- I'm assuming that the others are looking to  
4 start their closing arguments after lunch.

5 Is that your understanding?

6 **MR. HASSAN:** That's correct. Yes, Your Honor.

7 **THE COURT:** All right. So why don't we -- first of  
8 all, let me admit all of your records at this time on the  
9 record.

10 **MS. TURNER:** Thank you, Your Honor.

11 **THE COURT:** And that completes your case; is that  
12 correct?

13 **MS. TURNER:** That's correct, Your Honor. Thank you.

14 **THE COURT:** All right. Are there any matter -- other  
15 matters that we need to discuss before we recess?

16 Then we will recess until 1:30, and so we will resume at  
17 that time. Thank you.

18 Let us recess court.

19 (A noon recess was taken from 12:05 p.m. until 1:30 p.m.;  
20 all parties present.)

21 (The closing arguments occurred next and will be filed  
22 under separate cover with the court.)

23

24

25

**C E R T I F I C A T E**

I, LORI RUSSELL, RMR, CRR, United States District Court  
Reporter for the Middle District of North Carolina, DO HEREBY  
CERTIFY:

That the foregoing is a true and correct transcript of the  
proceedings had in the within-entitled action; that I reported  
the same in stenotype to the best of my ability and thereafter  
reduced same to typewriting through the use of Computer-Aided  
Transcription.

A handwritten signature in cursive script that reads "Lori Russell". The signature is written in dark ink and is positioned above a horizontal line.

Lori Russell, RMR, CRR  
Official Court Reporter

Date: 12/16/2020